

Supplemental Comments of Petitioners

from Oak Hill, AL 36766 Post Office

Before the Postal Regulatory Commission, Washington, DC 20268

In the matter of:

Oak Hill, AL 36766

Docket No: A2011-97

Mayor David Fuller, John Dale, Juliette H. Bullock, Petitioners

January 2, 2012

I. Oak Hill Post Office meets criteria contained in the USPS December 15 Moratorium announcement.

As stated in our motion to add Supplemental Comments, as a result of the USPS's December 15, 2011 additional documents regarding our case, we come before the Postal Regulatory Commission (PRC) with additional significant information pertinent to our proposed closure.

On December 15, 2011—the same date as the USPS filed its additional documents regarding Oak Hill's Post Office—the USPS filed with the PRC its "Notice of Status of the Moratorium on Post Office Discontinuance Actions."

We request permission to be made a part of the Moratorium for the following reasons:

As the USPS states in its Notice of the Moratorium,

"Accordingly, the Postal Service will proceed with the discontinuance process for any Post Office in which a Final Determination was already posted as of December 12, 2011, including all pending appeals. The Postal Service, however, will take the final step of closing a Post Office prior to May 16, 2012, *only when that Post Office was not in operation on, and the Final Determination was posted as of, December 12, 2011*" [emphasis added]

We believe that the second sentence in the above paragraph plainly states that two criteria must be met in order for the USPS to close the doors of a post office during the Moratorium: (1) the post office was not in operation on December 12, and (2) the Final Determination (FD) has been issued before December 12.

Our Record of this case makes clear that both of these criteria were met:

- (1) The Oak Hill Post Office *was* in operation on December 12; and
- (2) the USPS's FD was posted *only* in Oak Hill Post Office on August 22, thereby failing to meet the USPS requirement that there also be postings in neighboring

post offices that would be affected by the Oak Hill closing (i.e., Pine Apple Post Office and McWilliams Post Office).

The failure to post the Oak Hill Post Office FD *in all three affected post offices* was pointed out by our Public Representative; it was subsequently noted in the aforementioned USPS December 15 Filing Addendum and a post-December 12 “proper” posting ordered:

“Item No. 52 was added to the official administrative record on December 14, 2011 in an effort to clarify certain details in Item No. 47. Item No. 47 indicates that copies of all materials upon which the final determination was based were being made available for public inspection at the Oak Hill Post Office, McWilliams, AL Post Office and Pine Apple, AL Post Office during normal office hours. However, the Final Determination was posted *only* [emphasis added] in the Oak Hill Post Office on August 22, 2011, and *not* [emphasis added] in the other offices. As explained in Item No. 52, the Final Determination will be posted in Pine Apple Post Office beginning on December 14, 2011. As the McWilliams Post Office closed on November 18, 2011, the Final Determination will not be posted in that office.”

In addition, Item #52 states:

“The final determination was posted only in the Oak Hill Post Office on August 22, 2011 and is currently posted due to the Appeal. The final determination will be posted in Pine Apple Post Office on December 14, 2011 through January 15, 2012.”

In conclusion, the Oak Hill Post Office failed to meet both criteria necessary for USPS to close a post office after December 12 according to the Moratorium notice:

- (1) The Oak Hill Post Office *was* open for operation on December 12; and
- (2) The Oak Hill Post Office FD letter was not properly posted *before* December 12. As stated in the above paragraphs, a proper FD posting requires simultaneous posting at our two affected, neighboring post offices. The proper posting, intended for August 22, has been delayed until after the December 12 deadline. Therefore, the August 22 posting was incomplete and defective and was not accomplished.

II. USPS improperly calculates operational costs for Oak Hill Post Office: personnel and rent

Personnel:

We would like to know why the USPS continues to use the salary figures for a PM, rather than for our OIC and PMRs, to calculate the savings to the USPS in closing the Oak Hill Post Office.

It should be noted that our current OIC (as well as the two who preceded her) has/have other jobs within the postal system. All three OICs are/were frequently away from the Oak Hill Post Office doing those other postal jobs. When absent, they are replaced in Oak Hill by PMRs, whom, we would have to believe, earn even less than the OIC. Including these two less costly personnel officers for this post office (rather than our now departed PM) would result in much lower annual operational cost and, hence, savings if the post office remained open.

Our Public Representative states:

“Unless and until the Postal Service provides a justification for considering that there will be a reduction in employment associated with closure of the Oak Hill Post Office, the inflated economic savings claimed by the Postal Service should be reduced by the amount of OIC’s salary.”

We would amend that to read “the inflated economic savings claimed by the Postal Service should be reduced by the amount of both the OICs **and the PMRs salaries.**” We are far more often staffed by a PMR than by our OIC(s), who are/have been called on to fill in for other postal vacancies at the same time as being OIC in Oak Hill.

Rent:

In addition, we do not know why neither the USPS nor the PRC has responded to our records showing the signed lease agreement between Mr. Dale and a postal official as extending the USPS lease on the building until 2017, especially given our offer of reduced rent.

We have read a number of other appeals from post offices from across this nation, and most of them are suggesting the same thing we are: fewer hours, reduced rent. Again, we ask why is the USPS expending so much effort and money to close us when it would cost so little and mean so much to keep us open?

III. Closings do not conform to clearly stated purpose of 1970 Postal Reorganization Act

Section 101(b) of the 1970 Postal Reorganization Act bears quoting here, especially now when many post offices face closing: “The Postal Service shall provide a maximum degree of effective and regular postal services to rural areas, communities, and small towns where post offices are not self-sustaining. No small post office shall be closed solely for operating at a deficit, it being the specific intent of the Congress that effective postal services be insured to residents of both urban and rural communities.”

IV. Conclusion

Therefore, for the reasons stated above we request that the Oak Hill Post Office be made a part of the Moratorium, if not removed from the closure list altogether.

We have provided many strong reasons why the Oak Hill Post Office — rural, small, underserved, needed, very little in the way of cost savings if we were to be closed— should remain open. In addition, we do not meet the criteria for closing before the May 15 Moratorium date, and should not be closed at this time.

We strongly believe that the PRC will follow the criteria contained in the December 15 USPS Moratorium notice and place the Oak Hill Post Office on the not-to-be-closed list.

These coming months will give the various entities some time to review the relevant points adduced in the Appeal Process for keeping the Oak Hill Post Office open.

Finally, we need to give Congress the opportunity to help the Postal Service fulfill its stated mission. We hope that will come in the form of extreme modification or elimination of the 2006 Postal Accountability and Enhancement Act.

Assuming major changes in the closing program, we strongly hope that under a new program, approved by Congress, along with the needed and superior services being provided in this post office in a strategic rural location, we will be seen as a necessary service in our area and taken off the closure list. It will cost less to keep us open than to close/“consolidate” us.

Respectfully submitted,

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